

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

TERESA WELLS and JOSEPH WELLS,)
v.)
Plaintiffs,)
No. CIV-20-1301-R
JOHNSON & JOHNSON,)
a New Jersey corporation; and)
ETHICON, INC., a New Jersey)
corporation,)
Defendants.)

ORDER

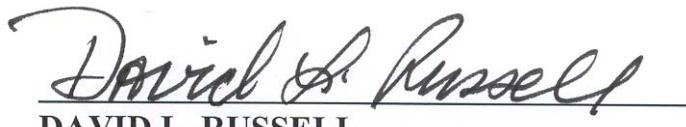
Plaintiffs initially filed a 56-page complaint containing 195 numbered paragraphs. In response, Defendants filed a Motion for Judgment on the Pleadings. Plaintiffs responded by seeking leave to amend their complaint, attaching a proposed amended complaint which was 95 pages long and contained 335 numbered paragraphs [Doc. 30-1].

On April 19, 2021, the Court denied Plaintiffs leave to file their proposed amended complaint, but granted leave to file an amended complaint consistent with the guidance of Fed. R. Civ. P. 8 that a complaint state “a short and plain statement of the claim showing the pleader is entitled to relief.”

In response to the Court’s Order, Plaintiffs filed a 77-page Amended Complaint setting out 13 counts in 290 numbered paragraphs. While this represents a reduction of 18 pages and 45 numbered paragraphs, the Amended Complaint still fails to meet the Rule 8 standard of a “short and plain statement of the claim showing the pleader is entitled to relief.”

The Court therefore STRIKES the Amended Complaint [Doc. 34], and grants Plaintiffs leave to file an amended complaint containing a short and plain statement of their claims, not to exceed 40 pages in length, within 14 days of the date of this Order.

IT IS SO ORDERED this 26th day of April 2021.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE